IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

Crl.Rev.Pet.No. 612 of 2007(E)

CRA.319/2002 of II ADDL. SESSIONS COURT, TRIVANDRUM
CC.225/1999 of JUDL. MAGISTRATE OF FIRST CLASS COURT-II, NEDUMANGAD

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REVN. PETITIONER/ APPELLANT/ACCUSED:

ASHOK KUMAR, AGED 35 YEARS,
S/O. VELAYUDHAN NAIR, SARASWATHY VILASOM VEEDU,
MADANKAVU VADAKKUMKARA MURI, KARIPOOR VILLAGE.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENT/ RESPONDENT/COMPLAINANT:

THE STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 15/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.612 of 2007

Dated this the 15th day of February, 2007

ORDER

Revision petitioner is the accused, who stands convicted under Section 323 IPC and sentenced to undergo imprisonment till the rising of the court and to pay a compensation of Rs.2,000/- to PW1 and in default, to undergo simple imprisonment for a period of two months vide Section 357(3) of Code of Criminal Procedure. The appellate court set aside the conviction and sentence under Section 324 IPC i.e., to undergo R.I. for six months and convicted the accused only for the offence under Section 323 IPC and hence the appellate court has showed a maximum leniency in the matter. Considering the discussion of evidence contained in the judgment of the courts below, I find no reason at all to interfere.

The revision petition is dismissed in limine.

K.R.UDAYABHANU,
JUDGE

csl

M.SASIDHARAN NAMBIAR, J

S.A.No.709 of 1996

JUDGMENT

1st February, 2007